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**APR 29 2008**

**OFFICE OF PETITIONS**

In re Application of  
Seiji Tawaraya, et al.  
Application No. 10/628,791  
Filed: July 28, 2003  
Attorney Docket No. CU-5983

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**ON PETITION**

This is a decision on the petition under 37 CFR 1.137(b), filed March 6, 2008, to revive the above-identified application.

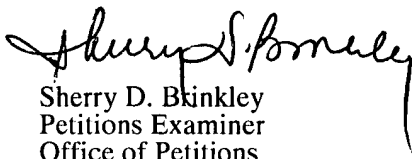
The petition is **GRANTED**.

A review of the record discloses that this application became abandoned for failure to timely reply within the meaning of 37 CFR 1.113 to the final Office action, mailed August 22, 2005, which set a shortened statutory period for reply of three (3) months. No extension of time under the provisions of 37 CFR 1.136(a) was obtained. A Notice of Abandonment was mailed on March 9, 2006. On September 17, 2007 a petition to revive under 37 CFR 1.137(a) was filed; however, the petition was dismissed in a decision mailed March 4, 2008. In response, on March 6, 2008, the present petition was filed. The \$1,540 petition fee is being charged to counsel's deposit account as authorized.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Request for Continued Examination (RCE) under 37 CFR 1.114 and fee of \$790; (2) the petition fee of \$1,540; and (3) an adequate statement of unintentional delay.

The application is being referred to Technology Center AU 2853 for processing of the RCE filed September 17, 2007 and for appropriate action by the Examiner in the normal course of business on the amendment submitted in accordance with 37 CFR 1.114.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3204. Inquiries relating to further prosecution should be directed to the Technology Center.

  
Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions